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March 21, 2023


VIA ECF

Honorable Nelson S. Román, U.S.D.J.
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Counsel is directed to contact Judge Davison to schedule a settlement conference. In light of the instant letter, the Court ADJOURNS the April 4, 2023 telephonic Status Conference and the pre-motion letter deadline *Sine Die*, and directs the parties to notify this Court in writing as to the status of settlement after the settlement conference is held.

Dated: March 22, 2023
White Plains, NY

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE

Re: *Lawlor v. Benchmark Education Company, LLC, et al.*
Case No. 21-CV-5425 (NSR) (PED)

Dear Judge Román:

We represent Defendants in this action. On behalf of all parties, we write to request that the current deadlines in this action be adjourned pending a settlement conference before Magistrate Judge Davison pursuant to the Court's December 14, 2021 referral order (ECF No. 19). The parties have initiated settlement discussions and believe that the Court's assistance will facilitate a settlement. The parties respectfully request that Judge Davison conduct a settlement conference because of his familiarity with this matter, provided that the Court does not refer dispositive motions to Judge Davison for report and recommendation. If that is the Court's intention, the parties request that a settlement conference be conducted by a different magistrate judge.

The Court's February 24, 2023 Order directed any party intending to file a dispositive motion to file a pre-motion letter on or before 5:00 pm on March 28, 2023, and scheduled a telephone conference for April 4, 2023, at 12:15 pm. *See* ECF No. 59. The parties request that the pre-motion letter deadline be adjourned until two weeks after the conclusion of the requested settlement conference. The parties also request that the telephone conference be adjourned until at least one week following submission of the pre-motion letter.

We thank the Court for considering this extension request.

Respectfully,



Eric D. Witkin

cc: All Counsel of Record (via ECF)

MEMO ENDORSED